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DEPARTMENT FOR EUR/CACEN (J. MUDGE), EUR/RPM, DRL/PHD (P. DAVIS)

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TAGS: KZ PGOV PHUM POLITICAL

SUBJECT: KAZAKHSTAN: AMB. MINIKES' APRIL 27 MEETING WITH YEVGENIY ZHOVTIS

Classified By: CDA Mark Asquino, reasons 1. 4 (B) and (D).

¶11. (C) Summary: Leading Kazakhstani human rights activist Yevgeniy Zhovtis told Amb. Minikes on April 27 that the deteriorating political and human rights situation in the country was the direct result of the government's paranoia about events in Georgia, Ukraine, and Kyrgyzstan. He described an inner circle around President Nazarbayev divided between those who favored the use of repressive measures to squelch all opposition, and those who believe that dialogue and further democratization are necessary. Zhovtis called on the OSCE to stand up for oppressed political figures and parties, and to work with the GOK to create a better legislative framework. He also called on the West to push the GOK to engage in dialogue with the opposition and the public. Zhovtis stated that Nazarbayev does not trust anyone enough to hand over power, and is in search of guarantees of protection for himself and his family after he leaves office.

The president is reportedly surrounded by hardliners who control the flow of information in order to capitalize on these fears. Zhovtis observed that the CiO bid might be one factor in the discussion of Nazarbayev's future. Amb. Minikes described the organizational challenges required of the CiO and the potential for Congressional scrutiny. He noted that if there is not concrete discussion of Kazakhstan's bid soon, it will be "approved" by default next year. End summary.

¶12. (SBU) Ambassador to the OSCE Stephan Minikes met with Yevgeniy Zhovtis, head of the Kazakhstan International Bureau on Human Rights (KIBHR), on April 27 in Almaty during a visit to discuss the GOK's OSCE CiO bid. The Ambassador and POEC chief (notetaker) also participated.

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Deteriorating Situation  
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¶13. (C) Zhovtis, whose organization is one of 33 U.S. assistance partners currently under investigation by the GOK, indicated that his own situation and the general situation with respect for human rights were deteriorating. The financial police had opened a tax investigation of KIBHR that worried him. He saw the GOK's actions against NGOs, parties, and independent media as "paranoid behavior" prompted by events in Georgia, Ukraine, and Kyrgyzstan. Zhovtis said that the Procuracy and the Committee on National Security (KNB) were clearly taking steps to try to avert a "velvet revolution," but there was no indication that such a revolution was possible. The GOK's actions were instead radicalizing people who had been moderates.

¶14. (C) Zhovtis emphasized that this was not a unified GOK policy. There were some high-ranking officials who took a "softer" position and saw the long-term need to move toward democracy and dialogue. He mentioned chairman of the Security Council Bulat Utemuratov, deputy head of the Presidential Administration Marat Tazhin, and presidential advisor Karim Masimov as belonging to this camp. Deputy PA head Baurzhan Mukhamedzhanov is seen as a hard-liner; Zhovtis believes that the KNB and the Procuracy likely report directly to him, as PA head Adilbek Dzhaksybekov is "weak." Mukhamedzhanov and other hard-liners have convinced Nazarbayev that entering into dialogue with the opposition would be seen as a sign of weakness and/or fear by both supporters and the opposition. The Ambassador observed that in reality, the GOK's efforts to crack down on the opposition were making it look weak. (Note: Unlike some of his colleagues in the human rights community, Zhovtis maintains close personal ties with well-connected businessmen and others who provide insight into the GOK. End note.)

¶15. (C) Asked what the OSCE should be doing to address the situation, Zhovtis suggested that it focus on two areas: moral and diplomatic support for opposition figures, groups, and parties that were bound to come under increasing GOK pressure, and assistance with the creation of a legislative framework that complies with international standards. Recalling the arrests of Ablyazov, Zhakiyanov, and Duvanov in 2001-2002, Zhovtis predicted that the GOK might well take similar action against such figures as True Ak Zhol co-chairs

Bulat Abilov and Altynbek Sarsenbaiuly. Zhovtis added that there was a third need, perhaps more appropriately pursued bilaterally than through the OSCE: to push the GOK to establish dialogue with the opposition and the people. Zhovtis emphasized that it was crucial to have dialogue now, with "people who are reasonable, not calling for violence."

16. (C) Zhovtis noted that the opposition was also to blame

for the lack of dialogue. Many saw the National Commission on Democratization and Civil Society (NKVD) as a sham, intended only to prolong Nazarbayev's grip on power. Others placed unreasonable pre-conditions on dialogue. The Ambassador noted that the falsification of election results, which caused the exclusion of the opposition from the Mazhilis, had foreclosed one potentially useful forum for the exchange of ideas. Zhovtis said the GOK has shown a desire for dialogue on some issues. Representatives of the Constitutional Council and the Presidential Administration (deputy head Mukhamedzhanov) had asked him to organize a May 3-4 conference on constitutional reform. The GOK officials said that they would arrange for all key organizations, such as the Procuracy and the Supreme Court, to participate; they wanted Zhovtis to get For a Just Kazakhstan (FJK) leader Zharmakhan Tuyakbay and others from the opposition to take part. Zhovtis reported that FJK had so far refused to commit on the grounds that pro-GOK experts would outnumber them; Zhovtis said he had argued to them that this was a good opportunity to get their message on constitutional reform to the public, as the national channels will cover the event.

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Nazarbayev's Approach  
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17. (C) Zhovtis described Nazarbayev as a life-long Communist Party apparatchik who knows how to create and control an organization in such a way as to prevent any dissent or opposition. Nazarbayev does not like to be challenged or be surrounded by people with political weight. Former Prime Minister Kazhegeldin, now exiled to London, is the best example of this. The longer Nazarbayev stays in power, Zhovtis added, the less trusting and less confident in his personal safety he becomes. Events in Kyrgyzstan, Ukraine, and Georgia had only accelerated this process. Zhovtis emphasized that Nazarbayev trusts no one, not even his own family. In many ways, he has a harder time controlling his family than others in the inner circle. Son-in-law Rakhat Aliyev is a prime example; the decision to exile him to Vienna, rather than to take more drastic action against him, was seen by many as a sign of Nazarbayev's weakness.

18. (C) The Nazarbayev family, according to Zhovtis, has done "everything the Akayevs did in Kyrgyzstan, but on a much bigger scale." Seeing how authorities in Georgia and Ukraine are going after the assets of former leaders had made Nazarbayev extremely conscious of the need to obtain strong guarantees for himself and his family. Zhovtis observed that as the inevitable loss of power gets nearer, Nazarbayev is guided more and more by this fear. The Ambassador noted that there is no one in Kazakhstan today to whom Nazarbayev would be willing to turn over power. Zhovtis added that Nazarbayev would never cut a deal with the opposition to step down unless he had a firm guarantee from the west.

19. (C) Nazarbayev has less control than before, according to Zhovtis. His inner circle controls and interprets the flow of information reaching the president. Utemuratov used to be one of his closest advisors, but now the representatives of the security forces have the upper hand. Zhovtis has the impression that this group of fewer than ten people is using the specter of instability to scare Nazarbayev into taking repressive actions. Zhovtis added that while Nazarbayev used to govern in a very authoritative manner, calling his cabinet together and issuing firm directives, his GOK contacts have told him that more recently Nazarbayev has taken the approach of asking for, rather than demanding, support.

10. (C) That said, Zhovtis predicted that Nazarbayev would win reelection in a completely free and fair presidential election, thanks to his extremely strong support in rural areas and among the Russian-speaking population. He would not win with the wide margin he has in the past, but he would undoubtedly win. Zhovtis stressed that the question was ultimately hypothetical since Nazarbayev had no desire to create a political system where all parties could compete.

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Kazakhstan's CIO Bid  
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11. (C) Commenting on Kazakhstan's desire to chair the OSCE in 2009, Zhovtis said he believed someone else must have suggested it to President Nazarbayev. He had eventually been persuaded to support the idea out of a desire to be part of

the Western "club" and to play a bigger role on the world stage. Because he can't count on support from the West, however, Nazarbayev must also maintain close relations with

Putin; that was why he agreed to sign the Moscow and Astana declarations on the OSCE.

¶12. (C) Zhovtis was unable to predict how Nazarbayev would react if Kazakhstan did not obtain the 2009 chairmanship. He explained that since Nazarbayev sees every issue through the prism of succession and the need for personal guarantees, it is necessary to weigh his fear of the future against his desire to be a member of the Western "club." He observed that the CiO might be one factor in the negotiations about Nazarbayev's future. The Ambassador commented that if that were the case, it might be useful for Kazakhstan to postpone the bid so that the decision would come at a time when Nazarbayev was actually willing to discuss transition. It is clear that he intends to run for reelection once again, whether it is in December 2005 or December 2006; on the current timeline, the OSCE decision would occur before Nazarbayev was willing to discuss his future.

¶13. (C) Amb. Minikes explained to Zhovtis that while the formal decision on the 2009 CiO would be taken at the December 2006 ministerial, in reality the decision-making process needs to happen now. If there is no discussion of Kazakhstan's bid at a point when it is still possible to find another candidate and allow for a graceful postponement of the candidacy, then the candidacy will be approved by default. Some in the OSCE had expressed reluctance to embarrass the GOK by opposing the bid. Amb. Minikes noted that beyond the question of the suitability of any country to chair the OSCE, there is also the question of organizational capacity. The CiO must have a qualified team of at least 20 people in Vienna, with a similar sized team backing them up in the capital. The Foreign Minister must be willing to spend at least half of his or her time on the road doing OSCE business. CiO activities can cost \$8 to \$12 million for the year. The Helsinki Commission often calls hearings to discuss CiO candidacies, which can result in uncomfortable scrutiny.

¶14. (C) Zhovtis noted that he is in frequent contact with EU embassies in Almaty on this and other issues; while the British appear to have a clear position of not supporting the bid, the rest are maneuvering. He commented that the European Parliament has recently become more outspoken in its criticism of the Kazakhstani government, which could have an impact on CiO deliberations.

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